IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1814 OF 2005

Stanley Paskal D'Souza ..Applicant.

V/s.

The State of Maharashtra .. Respondent.

Shri L.D. Motwani for the Applicant.
Shri V.B. Konde-Deshmukh,APP for the Respondent -State.

CORAM : A.M.KHANWILKAR, J.
DATED : MARCH 21, 2005

PC :-

. Heard counsel for the parties. Perused the record.

. The applicant was granted bail by the lower court on 20th June, 1991. Thereafter, he did not appear before the trial court on the relevant dates but succeeded in stalling the proceedings before the trial court. As such, an arrest warrant came to be issued against the accused on 19.8.1991. Even thereafter, the applicant did not respond and the warrant of arrest was executed only on 28.02.2005. In other words, the applicant successfully avoided the trial of the case for over 15 years. The record

produced by the public prosecutor also indicates that inspite of warrant of arrest, the applicant came to be arrested only on 28th February, 2005. The applicant was remanded to the judicial custody. In this background, in my opinion, the trial court has rightly rejected the bail application preferred by the present applicant. The conduct of the applicant does not deserve to release him on bail. I do not see any reason to depart from the conclusion reached by the trial court. Hence, the present application is rejected.

. The Principal Judge, Sessions Court, Gr. Mumbai at Sewree is, however, directed to assign the case to the fast track court, if already not done, so as to ensure early disposal of the trial as High Court expedited case.

. Ordered accordingly.

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